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FACSIMILE COVER LETTER

To: United States Patent and Trademark Office
Examiner HYLTON, Robin Annette, Art Unit 3727

Firm: United States Patent and Trademark Office

Facsimile: 571-273-4540

From: Leonard J. Santisi

Date: July 20, 2005

Re: U.S. Serial No. 09/889,006

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PATENT
4000004-2006**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appellants : W. Zoller et al.
Serial No. : 09/889,006
For : PACK
Filed : July 6, 2001
Examiner : Hylton, Robin Annette
Art Unit : 3727

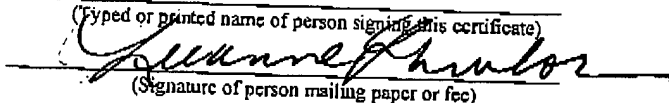
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COMMUNICATION**Via Facsimile**

I hereby certify that this correspondence for Application No. 09/889,006 is being facsimiled to the United States Patent and Trademark Office via fax number (571) 273-4540 on July 20, 2005.

Lianne Lawlor

(Typed or printed name of person signing this certificate)



(Signature of person mailing paper or fee)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


This is in response to the telephone conference on July 19, 2005 between Examiner Hylton and the undersigned relating to the Order Returning Undocketed Appeal to Examiner of the captioned matter. The Board of Patent Appeals and Interferences has determined in their Order that the Information Disclosure Statement filed November 5, 2001 was not properly considered in accordance with the rules of MPEP § 609 and therefore has returned the appeal to the Examiner for further attention.

PATENT
4000004-2006

As requested by the Examiner from Applicant's attorney, transmitted herewith is a copy of the Form 1449 which was initialed by the Examiner and returned to Applicant with the Office Action dated December 20, 2002.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
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